

**CITY OF MILPITAS PLANNING COMMISSION  
FINAL AGENDA FOR MAY 23, 2007  
CITY HALL COUNCIL CHAMBERS 7:00 P.M.  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035  
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

---

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

---

- IV. APPROVAL OF MINUTES: May 9, 2007**
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk \*)**

---

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

---

**IX. PUBLIC HEARING**

- 1. DETERMINATION OF INVESTIGATION AND SITE INSPECTION OF SOUTH MAIN STREET MOBILE HOME PARK BY COMMUNITY DEVELOPMENT MANAGER AND UPDATE ON STATUS OF SOUTH MAIN STREET MOBILE HOME PARK CONVERSION:** A public hearing to determine actual vacancy status of the Main Street Mobile Home Park located at 1666 South Main Street (APN: 086-22-023), zoned Multi-Family Very High Density with 'S' Zone combining district (R4-S). Pursuant to Milpitas Municipal Code XI-20-6.01, a statement was filed with the City stating that the vacancy of the Main Street Mobile Home Park was less than 85 percent. The Milpitas Planning Commission will conduct a public hearing to determine the accuracy of the statement. Any resident of the Main Street Mobile Home Park may present evidence at the Hearing as to the correctness of the statement. Applicant: Global Premier Development, Inc. Staff contact: Felix Reliford, (408) 586-3071. (PJ# 3199) *(Recommendation: Direct staff to bring the completed mobile home park conversion impact report back to the Planning Commission for review and recommendation to the City Council)*

2. **USE PERMIT NO. UP2007-5 and "S" ZONE APPROVAL AMENDMENT NO. SA2007-5** (*Continued from May 23, 2007*): A request for a new sign program, which includes installation of a new monument sign at the corner of McCarthy Boulevard and Sumac Drive for the SanDisk campus located at 601 McCarthy Boulevard (APN: 086-02-039) and 900 to 1100 Sumac Drive (APN's: 086-01-037, 039 and 040), zoned Industrial Park (MP). Applicant: Sandisk Corporation. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 2484) (*Recommendation: Approve with Conditions*)
3. **MINOR TENTATIVE MAP AMENDMENT NO. MM2007-1** (*Continued from May 23, 2007*): A request to delete Condition No. 5 regarding underground of utilities for a previously approved two-lot subdivision located at 387 Rudyard (APN: 022-22-071), zoned Single-Family Residential, (R1-6). Applicant: Hai Tran. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 3202) (*Recommendation: Approve with Conditions*)
4. **"S" ZONE APPROVAL AMENDMENT NO. SA2007-22**: A request for various modifications including revise roof elevations, unenclosed stairways, new chimneys stacks, and landscape modifications to a previously approved mixed use development that consist of 93 residential units and approximately 2,633 square feet of commercial retail space located at 230 N. Main Street (APN 028-24-017 and 018), zoned Mixed Use (MXD). Applicant: Badru Valani. Staff Contact: Cindy Hom, (408) 586-3284. PJ 3144. (*Recommendation: Approve with Conditions*)
5. **SIX-MONTH REVIEW NO. PR2007-1**: A six-month review for Use Permit No. UP2004-42 and "S" Zone Amendment Approval No. SA2004-122 for a 24,000 square foot commercial badminton facility in an existing 48,000 square foot industrial building, located at 1191 Montague Expressway (APN: 086-31-060), zoned Heavy Industrial (M2). Applicant: Jim Todt. Staff Contact: Tiffany Kunsman (408) 586-3283. (PJ# 2409) (*Recommendation: Note Receipt and File*)
6. **"S" ZONE AMENDMENT NO. SA2007-18 AND MINOR TENTATIVE MAP AMENDMENT NO. MM2007-2** (*Continued from May 23, 2007*): A request to amend "S" Zone No. SZ2007-1 and Minor Tentative Map No. MI2007-2 special conditions of approval for Aspen Family Apartments, 101 affordable units located at 1666 South Main Street (APN: 086-22-023), zoned Multi-Family Very High Density with "S" Zone combining district (R4-S). Applicant: Global Premier Development, Inc. Staff Contact: Felix Reliford, (408) 586-3071. (PJ# 3199) (*Recommendation: Approve with Conditions*)

7. **GENERAL PLAN AMENDMENT NO. GM2006-1, ZONE CHANGE NO. ZC2006-1, SITE PLAN AND ARCHITECTURAL APPROVAL NO. SZ2006-5, MAJOR TENTATIVE MAP NO. MA2006-2 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2006-4:** A request to allow for the demolition of an existing industrial park and the construction of 368 podium and townhouse style residential condominium units, on-site surface and podium parking, recreational and open space facilities on 11.17 acres located at 1601-1765 South Main Street (APN: 086-21-073). The properties are proposed to be redesignated from Industrial Park to Multi-Family, Very High Density (31 to 40 dwelling units per acre) and rezoned from Industrial Park with "S" Zone Overlay District "MP-S" to Multi-Family, Very High Density with "S" Zone Overlay District "R4-S." A Supplemental EIR was prepared and circulated for this project. Applicant: Warmington Homes. Staff Contact: Felix Reliford, (408) 586-3071. (PJ# 3205) *(Recommendation: Adopt Resolution Recommending Approval of General Plan Amendment No. GM2006-1, Midtown Specific Plan Amendment and Zone Change No. ZC2006-1 to City Council. Recommend Approval of Major Tentative Map No. MA2006-2 based on the Findings and Recommended Special Conditions. Adopt a Resolution Recommending the Certification of the Supplemental Environmental Impact Report (Environmental Impact Assessment) No. EA2006-4 to City Council. Approve Site Plan and Architectural Approval No. SZ2006-5 based on the Findings and Recommended Special Conditions)*

## **X. NEW BUSINESS**

- \* 8. **ORDINANCE INTERPRETATION NO. UD2007-2: Massage at the Great Mall:** A request to make an interpretation of the zoning ordinance to determine if partial massage is a permitted use in the C2 General Commercial zoning district. Applicant: City of Milpitas. Staff Contact: Cindy Maxwell, (408) 586-3287. (PJ# N/A)*(Recommendation: Determine that massage of shoulders and extremities, in a visible public environment, is a permitted use in the C2 zoning district)*

---

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

---

## **XI. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS June 13, 2007***

---

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

---

### **MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of two members (currently Larry Ciardella-regular member, Gurdev Sandhu-regular member, Norman Azevedo-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. This project review will be held at 6:30 P.M. on April 25th in the City of Milpitas Committee Conference Room First Floor, 455 E. Calaveras Boulevard.

- a. "S" ZONE APPROVAL AMENDMENT NO. SA2007-24:** A request to located a new 364 sq. ft. equipment enclosure constructed with 10'-6" cement plaster walls and installation of exterior equipment located at 1996 Tarob Court (APN: 086-36-039), zoned M2-TOD-S. Applicant: DDI Global. Staff Contact: Cindy Hom, (408) 586-3284. *(Recommendation: Approve with Conditions)*

### **KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT SUBCOMMITTEE**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: [rpioroda@ci.milpitas.ca.gov](mailto:rpioroda@ci.milpitas.ca.gov)

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) Select Open Government Ordinance under News Features